

**TOPIC:                   DEGREE AUTHORIZATION ACT: FORT HAYS STATE  
UNIVERSITY – REQUEST FOR AUTHORIZATION AS A PLACE  
OF BUSINESS**

**PREPARED BY:   HEATHER DELANGE, ACADEMIC POLICY OFFICER**

**I.       SUMMARY**

This item recommends authorization as a place of business (with no instruction in Colorado) for Fort Hays State University (FHSU) to operate an administrative office in Colorado pursuant to the Degree Authorization Act.

**II.       BACKGROUND**

The Colorado Commission on Higher Education (CCHE) has statutory responsibility for administration of Title 23, Article 2 of the Colorado Revised Statutes, commonly referred to as the Degree Authorization Act. The Act sets out the terms by which the Commission may authorize properly accredited private colleges and universities, out-of-state public colleges and universities, and seminaries and bible colleges to offer degrees or degree credits in Colorado. Persons or organizations that violate the provisions of the statute are subject to legal penalties. These institutions must receive authorization by the Commission prior to offering any program of instruction, academic credits, or degrees; opening a place of business; soliciting students or enrollees; or offering educational support services. Pursuant to state law, a private college or university requires institutional accreditation on the basis of an on-site review in Colorado by a nationally recognized regional or national accrediting association.

Pursuant to CCHE policy, Section I, Part J, the definition of the Authorization as a Place of Business (with no instruction) permits institutions to operate a place of business within Colorado but does not allow instruction from that location. The institution is still subject to the deceptive trade practices provision (C.R.S. 23-2-104). Such an institution may be exempt from administrative procedures regarding accreditation and financial integrity.

**II.       STAFF ANALYSIS**

Fort Hays State University is applying for authorization to operate a place of business, in the form of an administrative office, in Colorado. FHSU is a public postsecondary institution located in Hays, Kansas. The Higher Learning Commission of the North Central Association of Schools and Colleges, one of the six regional accreditors recognized by the U.S. Department of Education, accredited the university in 1915 and it remains accredited by that agency.

As required by the Degree Authorization Act, Fort Hays State University submitted information regarding the activities that occur in its administrative office located within Colorado.

Department staff determined that the activities that FHSU describes for the Colorado office do not necessitate the need for full authorization. Rather, the proposed activities meet the definition for the authorization of a place of business.

Fort Hays State University is working in partnership with Colorado's state public universities and community colleges to offer high quality education opportunities to the citizens of Colorado and Kansas. The partnerships allow both states to share students across borders through online education. In addition, the office provides Coloradans a contact if they encounter student issues. Having an office in Colorado allows the partnership to develop and continue to grow.

The office does not provide any advising, counseling, or instruction at the Denver office or any other site in Colorado. All programs are solely online and the Director of the Denver office will have no face-to-face contact with the students in Colorado; and all distance education students will have a FHSU on-campus advisor from the main campus in Hays, Kansas to advise and counsel students regarding their programs, courses and other academic issues.

Pursuant to Section I, Part J, of the approved CCHE policies, institutions awarded the place of business authorization must renew annually to ensure that the activities occurring from the Colorado site do not trigger the need for full authorization.

#### **IV. STAFF RECOMMENDATION**

**Staff recommends that the Commission approve authorization as a place of business for Fort Hays State University.**

#### **STATUTORY AUTHORITY**

C.R.S. §23-2-103.3